

PATENT COOPERATION TREATY

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INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY


(Chapter II of the Patent Cooperation Treaty)

(PCT Article 36 and Rule 70)

REC'D 23 AUG 2005

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Applicant's or agent's file reference AWP/PEH/P61948	FOR FURTHER ACTION See Form PCT/PEA/416	
International application No. PCT/GB2004/002143	International filing date (day/month/year) 19.05.2004	Priority date (day/month/year) 19.05.2003
International Patent Classification (IPC) or national classification and IPC B60F3/00		
Applicant GIBBS TECHNOLOGIES LIMITED et al.		
<p>1. This report is the international preliminary examination report, established by this International Preliminary Examining Authority under Article 35 and transmitted to the applicant according to Article 36.</p> <p>2. This REPORT consists of a total of 4 sheets, including this cover sheet.</p> <p>3. This report is also accompanied by ANNEXES, comprising:</p> <p>a. <input type="checkbox"/> sent to the applicant and to the International Bureau a total of sheets, as follows:</p> <p><input type="checkbox"/> sheets of the description, claims and/or drawings which have been amended and are the basis of this report and/or sheets containing rectifications authorized by this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions).</p> <p><input type="checkbox"/> sheets which supersede earlier sheets, but which this Authority considers contain an amendment that goes beyond the disclosure in the international application as filed, as indicated in item 4 of Box No. I and the Supplemental Box.</p> <p>b. <input type="checkbox"/> (sent to the International Bureau only) a total of (indicate type and number of electronic carrier(s)) , containing a sequence listing and/or tables related thereto, in computer readable form only, as indicated in the Supplemental Box Relating to Sequence Listing (see Section 802 of the Administrative Instructions).</p>		
<p>4. This report contains indications relating to the following items:</p> <p><input checked="" type="checkbox"/> Box No. I Basis of the opinion</p> <p><input type="checkbox"/> Box No. II Priority</p> <p><input type="checkbox"/> Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability</p> <p><input type="checkbox"/> Box No. IV Lack of unity of invention</p> <p><input checked="" type="checkbox"/> Box No. V Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement</p> <p><input type="checkbox"/> Box No. VI Certain documents cited</p> <p><input type="checkbox"/> Box No. VII Certain defects in the international application</p> <p><input type="checkbox"/> Box No. VIII Certain observations on the international application</p>		
Date of submission of the demand 18.03.2005	Date of completion of this report 23.08.2005	
Name and mailing address of the international preliminary examining authority:  European Patent Office - P.B. 5818 Patentlaan 2 NL-2280 HV Rijswijk - Pays Bas Tel. +31 70 340 - 2040 Tx: 31 651 epo nl Fax: +31 70 340 - 3016	Authorized Officer Cauderlier, F Telephone No. +31 70 340- 3363	



**INTERNATIONAL PRELIMINARY REPORT
ON PATENTABILITY**

International application No.
PCT/GB2004/002143

Box No. V Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement

Novelty (N)	Yes: Claims	1-56
	No: Claims	
Inventive step (IS)	Yes: Claims	1-56
	No: Claims	
Industrial applicability (IA)	Yes: Claims	1-56
	No: Claims	

2. Citations and explanations (Rule 70.7):

see separate sheet

Re Item V.

- 1 The following documents are referred to in this communication:
D1 : FR 2 647 060 A (RENK AG) 23 November 1990 (1990-11-23)
- 2 Document D1 is considered to represent the most relevant state of the art, from which the subject-matter of independent claim 1 differs in that:
 - the power transmission means can deliver power from the prime mover to both the marine propulsion means and the land propulsion means when the vehicle is operated in the land mode;
 - the amphibious vehicle is operable either in a marine mode or in a land mode and when the power transmission means transmits power from the prime mover then the transmitted power is transmitted always to the marine propulsion means whether the vehicle is operated in the marine or land mode;The subject-matter of claim 1 is therefore novel (Article 33(2) PCT).
- 2.1 The problem to be solved by the present invention may be regarded as to further develop the known propulsion system especially with respect to the properties of the vehicle when entering into and exiting the water.
- 2.2 The solution to this problem proposed in claim 1 of the present application is considered as involving an inventive step (Article 33(3) PCT) as none of the available prior art documents suggests to have the power transmitted to the marine propulsion means at all times also when in the land mode.
- 2.3 Claims 2-44 are dependent on claim 1 and as such also meet the requirements of the PCT with respect to novelty and inventive step. Claims 45 and 46 also meet the requirement of novelty and inventive step, and therefore dependent claims 47 to 53 meet the requirements of the PCT with respect to novelty and inventive step (Article 33(2) and (3) PCT).